

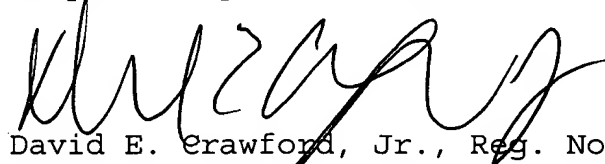
REMARKS

* The amendment presented above amends claims 1, 6, 16 and 19. Upon entry of this amendment, claims 1-19 will be pending in the subject application. A marked-up version of the claims showing changes made is enclosed. As amended, the claims conform to the claims in the parent application after Amendment C. The amendments also correct a spelling error in claim 19.

* A Declaration of Jeffrey S. Brooks showing commercial success of the invention recited in the claims accompanies this amendment.

Applicant respectfully requests a favorable action and Notice of Allowance.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 1 is amended as follows:

1. Footwear comprising a sole having:

(a) a heel section for supporting a heel of the foot, said heel section having medial and lateral regions, at least a portion of the lateral region of the heel section having an overall thickness corresponding to a full thickness of the sole in said portion of the lateral region of the heel section and providing a first compressive resilience for attenuating the shock of impact to the wearer during running and walking;

(b) an arch section forward of the heel section for supporting an arch of the foot, said arch section having medial and lateral regions, [at least a portion of the lateral region of the arch section having said first compressive resilience,] and at least a portion of the medial region of the arch section having an overall thickness corresponding to a full thickness of the sole in said portion of the medial region of the arch section and providing a second compressive resilience harder than said first compressive resilience for providing firm support for the foot during running and walking; and

(c) a forefoot section forward of the arch section for supporting a ball of the foot including first, second, third, fourth and fifth metatarsal heads and associated metatarsal necks, proximal phalanges and metatarsal phalangeal joints, said forefoot section having a first region for supporting the first, second, third, fourth and fifth metatarsal heads, associated phalanges and metatarsal phalangeal joints, and the metatarsal neck associated with the fifth metatarsal head, and a second region for supporting at least one of the metatarsal necks associated with the second and third metatarsal heads, said first region of the forefoot section having said first compressive resilience and said second region of the forefoot section having said second compressive resilience.

Claim 6 is amended as follows:

6. Footwear comprising a sole having:

(a) a heel section for supporting a heel of the foot, said heel section having medial and lateral regions;

(b) an arch section forward of the heel section for supporting an arch of the foot, said arch section having medial and lateral regions; and

(c) a forefoot section forward of the arch section for supporting a ball of the foot including first, second, third, fourth and fifth metatarsal heads and associated metatarsal necks, proximal phalanges and metatarsal phalangeal joints, said forefoot section having a first region for supporting the first, second, third, fourth and fifth metatarsal heads, associated phalanges and metatarsal phalangeal joints, and the metatarsal neck associated with the fifth metatarsal head, and a second region for supporting at least one of the metatarsal necks associated with the second and third metatarsal heads;

said sole being constructed to have a first compressibly resilient portion having an overall thickness corresponding to a full thickness of the sole in said first portion for attenuating the shock of impact to the wearer during running and walking, [and] a second portion [harder] having an overall thickness corresponding to a full thickness of the sole in said second portion and providing a hardness greater than that of said first portion for providing firm support for the foot during running and walking, said first portion comprising at least part of the lateral region of the heel [section, at least part of the lateral region of the arch] section, and the first region of the forefoot section, and said second portion comprising at least part of the medial region of the arch section and the second region of the forefoot section.

Claim 16 is amended as follows:

16. A sole for footwear comprising:

(a) a heel section for supporting a heel of the foot, said heel section having medial and lateral regions;

(b) an arch section forward of the heel section for supporting an arch of the foot, said arch section having medial and lateral regions; and

(c) a forefoot section forward of the arch section for supporting a ball of the foot including first, second, third, fourth and fifth metatarsal heads and associated metatarsal necks, proximal phalanges and metatarsal phalangeal joints, said forefoot section having a first region for supporting the first, second, third, fourth and fifth metatarsal heads, associated phalanges and metatarsal phalangeal joints, and the metatarsal neck associated with the fifth metatarsal head, and a second region for supporting at least one of the metatarsal necks associated with the second and third metatarsal heads;

said sole having a first selected effective compression resistance in at least part of the lateral region of the heel section[, at least] having an overall thickness corresponding to a full thickness of the sole in said part of the lateral region of the [arch] heel section[,] and at least part of the first region of the forefoot section having an overall thickness corresponding to a full thickness of the sole in said part of the first region of the forefoot section, a second selected effective compression resistance greater than said first compression resistance in at least part of the medial region of the arch section having an overall thickness corresponding to a full thickness of the sole in said part of the medial region of the arch section and at least part of the second region of the forefoot section having an overall thickness corresponding to a full thickness of the sole in said part of the second region of the forefoot section, and a zone of weakness extending generally transversely with respect to the sole along a curve extending through locations generally corresponding to the five metatarsal phalangeal joints for providing greater flexibility for easier articulation of the metatarsals relative to the phalanges of the foot.

Claim 19 is amended as follows:

19. A sole as set forth in claim 16 wherein said first selected effective compression resistance extends under the first proximal [phalange] phalanx and the first distal [phalange] phalanx.